

AB 1025: Lactation Accommodation on Campus

The Breastfeeding Support Program assists the University with implementation of [AB 1025](http://info.sen.ca.gov/pub/01-02/bill/asm/ab_1001-050/ab_1025_bill_20011013_chaptered.html). http://info.sen.ca.gov/pub/01-02/bill/asm/ab_1001-050/ab_1025_bill_20011013_chaptered.html. Under this bill, employers are required to make reasonable efforts to provide break time and an appropriate, private space for breastfeeding mother to express milk. The law is specific to state that this may not be a toilet stall. Managers and supervisors should assist employees who do not have a private office with finding an appropriate space in their building.

For employees who are unable to find adequate accommodations in their building, there are several [lactation rooms](http://www.uhs.berkeley.edu/factaff/healthmatters/breastfeeding.shtml#rooms) <http://www.uhs.berkeley.edu/factaff/healthmatters/breastfeeding.shtml#rooms> on campus, most equipped with hospital-grade, electric breast pumps.

For non-exempt employees, the break time accommodation may run concurrently with rest periods provided pursuant to personnel policy. If you need assistance with the break time accommodation, contact your Department Employee Relations Specialist, or the [Customer Service Line, Office of Human Resources](http://commons.lbl.gov/display/hr/Employee+and+Labor+Relations) at <http://commons.lbl.gov/display/hr/Employee+and+Labor+Relations> (510) 486-4709.

CHAPTER 3.8. LACTATION ACCOMMODATION

1030. Every employer, including the state and any political subdivision, shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with the rest time authorized for the employee by the applicable wage order of the Industrial Welfare Commission shall be unpaid.

1031. The employer shall make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. The room or location may include the place where the employee normally works if it otherwise meets the requirements of this section.

1032. An employer is not required to provide break time under this chapter if to do so would seriously disrupt the operations of the employer.

1033. (a) An employer who violates any provision of this chapter shall be subject to a civil penalty in the amount of one hundred dollars (\$100) for each violation.

(b) If, upon inspection or investigation, the Labor Commissioner determines that a violation of this chapter has occurred, the Labor Commissioner may issue a citation. The procedures for issuing, contesting, and enforcing judgments for citations or civil penalties issued by the Labor Commissioner for violations of this chapter shall be the same as those set forth in Section 1197.1.

(c) Notwithstanding any other provision of this code, violations of this chapter shall not be misdemeanors under this code. SEC.2. No reimbursement shall be made from the State Mandates Claims Fund pursuant to Part 7 (commencing with Section 17500) of Division 4 of

Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other provisions of law.

Affordable Care Act

Affordable Care Act - effective January 1, 2013, UC's medical plans will be providing breastfeeding support, supplies and counseling at no cost. For more information on how this measure will affect you, please contact your medical plan. [Breastfeeding Resources from UC's Medical Plans](http://www.uhs.berkeley.edu/facstaff/pdf/healthmatters/Breastfeeding-resources-medical-plans.pdf) (pdf) <http://www.uhs.berkeley.edu/facstaff/pdf/healthmatters/Breastfeeding-resources-medical-plans.pdf>

Breastfeeding Supplies Eligible for FSA Reimbursements

The IRS has announced the cost of breast pumps and HygieniKits® can now be reimbursed through your Health Flexible Spending Account (Health FSA). UC employees can find out more about the CONEXIS Health FSA on the [At Your Service](http://atyourservice.ucop.edu/employees/health_welfare/depcare_hcra/index.html) website: http://atyourservice.ucop.edu/employees/health_welfare/depcare_hcra/index.html

Read the article from the [NY Times](http://www.nytimes.com/2011/02/11/business/11breast.html?_r=4&).
http://www.nytimes.com/2011/02/11/business/11breast.html?_r=4&

Additional Campus Resources

- [Guide for Balancing Work and Family](http://www.uhs.berkeley.edu/facstaff/pdf/worklifereport07.pdf)
<http://www.uhs.berkeley.edu/facstaff/pdf/worklifereport07.pdf>
- [Student Parent Center](http://trsp.berkeley.edu/spc.htm)
<http://trsp.berkeley.edu/spc.htm>
- [The Berkeley Parents Network](http://parents.berkeley.edu/)
<http://parents.berkeley.edu/>

Community Resources

- [Breastfeeding](http://ameda.com/) - Educational Guide from Ameda <http://ameda.com/>
- [Breast Pumping](http://ameda.com/) Educational Guide from Ameda <http://ameda.com/>
- [Employees' Guide to Breastfeeding and Working](http://www.hhs.gov/) from the U.S. Department of Health and Human Services. www.hhs.gov/
- [Womenshealth.gov](http://www.womenshealth.gov/) from U.S. Department of Health and Human Services. Also provides a hotline for basic breastfeeding questions: 1-800-994-9662
- [La Leche League International](http://www.llli.org/)
<http://www.llli.org/>